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**From:** Davis, Kable [Davis.Kable@epa.gov]  
**Sent:** 4/11/2019 2:49:44 PM  
**To:** Goodis, Michael [Goodis.Michael@epa.gov]; Rosenblatt, Daniel [Rosenblatt.Dan@epa.gov]; Davis, Donna [Davis.Donna@epa.gov]  
**Subject:** FW: AAPCO and NASDA mentioned: Bloomberg - States Brace for Battle With EPA Over Pesticide Label Rules  
**Attachments:** States Brace for Battle With EPA Over Pesticide Label Rules.pdf

FYI

-----Original Message-----

From: Fitz, Nancy  
Sent: Thursday, April 11, 2019 10:47 AM  
To: Maignan, Tawanda <Maignan.Tawanda@epa.gov>; Davis, Kable <Davis.Kable@epa.gov>  
Subject: FW: AAPCO and NASDA mentioned: Bloomberg - States Brace for Battle With EPA Over Pesticide Label Rules

This message just went out on the AAPCO mailing list.

Nancy Fitz  
Minor Use Team Leader  
Office of Pesticide Programs  
U.S. Environmental Protection Agency  
phone: 703-305-7385  
email: fitz.nancy@epa.gov  
web site: <https://www.epa.gov/pesticide-registration/minor-uses-and-grower-resources>

-----Original Message-----

From: Amy Sullivan <aapco.sfireg@gmail.com>  
Sent: Thursday, April 11, 2019 10:44 AM  
To: Amy Sullivan <aapco.sfireg@gmail.com>  
Subject: FW: AAPCO and NASDA mentioned: Bloomberg - States Brace for Battle With EPA Over Pesticide Label Rules

>As AAPCO members know, there has been a great deal of concern from SLAs  
>about EPA's recent announcement that because "some states have instead  
>used 24(c) to implement cut-off dates (and/or impose other  
>restrictions), EPA is now re-evaluating its approach to reviewing 24(c)  
>requests and the circumstances under which it will exercise its  
>authority to disapprove those requests".

>  
>EPA has stated that there will be a comment period. However, there is  
>no defined comment period yet. EPA has so far been non-committal. AAPCO  
>and NASDA have already submitted letters to EPA. SLAs are encouraged to  
>comment.

>  
>The EPA Office of General Counsel (OGC) is looking at the FIFRA Section  
>24(c) language, past practices (see Q/A below), and the current Sec  
>24(c) registrations of interest. Some states may consider going to  
>their state attorneys for their interpretation.

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>  
>Attached is a recent article from Bloomberg that may be of interest.

>  
>Rose Kachadoorian  
>AAPCO President  
>Pesticides Program Manager,  
>Registration, Licensing and Certification Natural Resource Policy Area  
>Oregon Department of Agriculture  
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>  
><https://www.epa.gov/pesticide-registration/guidance-fifra-24c-registrat>  
>ion

>s  
>4. Issue: Can states use §24(c) registrations to impose more

>restrictive measures than are on §3 labels (e.g., reentry intervals,  
>VOC programs, etc.)? Can states issue §24(c) registrations which limit  
>the use of a  
>§24(c) product to a subset of the uses on the §3 labels?  
>Response: Yes, under certain circumstances states may impose more  
>restrictive measures than are on §3 labels, or limit use to a subset of  
>uses on §3 labels. First, the state should determine by contacting the  
>EPA Product Manager whether the labeling changes sought by the state  
>may be accomplished by amendment to the §3 label of the product. If a  
>label amendment is not feasible, the state would need to conclude that  
>a special local need exists for a product with specific restrictions  
>which are not currently available in that state and then proceed to  
>issue a  
>§24(c) registration. EPA encourages states to communicate their needs to  
>the Product Manager and to work closely with the involved registrant(s)  
>so that the most expeditious solution to the problem may be obtained.  
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